

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division

BRENNAN GILMORE,	)	
Plaintiff,	)	Civil Action No. 3:18-cv-00017
	)	
v.	)	<u>ORDER</u>
	)	
ALEXANDER (“ALEX”) E. JONES, et al.,	)	By: Joel C. Hoppe
Defendants.	)	United States Magistrate Judge

This matter is before the Court following its prior Order concerning Defendant James Hoft’s production of social-media materials responsive to Plaintiff’s discovery requests. ECF No. 461. On November 23, 2021, the Court entered Plaintiff and Hoft’s proposed order giving certain third-party Social Media Platforms fourteen (14) days from receipt of that Order to “produce to Hoft any and all documents, posts, direct messages, or other communications, from March 1, 2017 to the present, on Hoft’s account(s), or on the account of any entity that he owns or controls, including The Gateway Pundit.” *Id.* at 1. Hoft was then required, “within 14 days of receiving that information from the Social Media Platforms,” to produce to Plaintiff any “posts, direct messages, or other similar communications that are relevant to the claims and defenses in this case.” *Id.* at 1–2 (quoting ECF No. 453, at 1–2). The Social Media Platforms should have produced this information to Hoft on or before December 7, 2021, and Hoft should have produced any responsive materials to Plaintiff by December 22, 2021. On January 3, 2022, Hoft’s counsel indicated to Plaintiff’s counsel that each Social Media Platform had been given a copy of the Order.

On March 1, 2022, Hoft’s counsel informed the Court that only four of the thirteen Social Media Platforms produced information in response to the Order and that he had not yet provided Plaintiff’s counsel access to any responsive materials in those four companies’ productions. Hoft

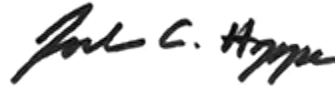
also had not made a “corrected production” with respect to seven (7) images retrieved from The Gateway Pundit’s website. Accordingly, it is hereby ORDERED that:

1. Hoft shall produce to Plaintiff any responsive materials contained in productions received from the four Social Media Platforms by 5:00 p.m. ET on Friday, March 4, 2022.

2. Within fourteen (14) days from the date of this Order, Hoft’s counsel shall file a written Notice describing in detail the specific steps that he, his client, and/or any agent or authorized representative took to obtain responsive materials from the other Social Media Platforms. The Notice should indicate whether, and if so, how, each Social Media Platform responded to counsel’s efforts to obtain the information in accordance with the Court’s November 23, 2021 Order.

3. Within fourteen (14) days from the date of this Order, Hoft’s counsel shall file a written Notice describing in detail the specific steps that he, his client, and/or any agent or authorized representative took in obtaining the seven (7) images from The Gateway Pundit’s website. The Notice should identify the specific search term(s) or keyword(s) that returned each image, describe where on the website each image was stored or found, and indicate whether each image was published with an article.

ENTER: March 1, 2022

A handwritten signature in black ink, appearing to read "Joel C. Hoppe", written in a cursive style.

Joel C. Hoppe  
U.S. Magistrate Judge